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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

Michael R. Holtsinger

Plaintiff,

vs.

J.M. Briddle, et al.,

Defendants.

NO. CIV S 03-0732 MCE CMK P

**STIPULATION AND ORDER
CONTINUING THE EVIDENTIARY
HEARING**

The parties, through their undersigned counsel of record, hereby stipulate and agree that the evidentiary hearing be rescheduled from its currently scheduled date of January 24, 2008. (Doc. 219). The hearing was originally scheduled on November 29, 2007, but was continued to accommodate Plaintiff's request to appear by video conference. (Docs. 216, 219). The parties respectfully request the evidentiary hearing be continued because Defendant Knight was recently appointed an attorney by the California Department of Corrections and Rehabilitation and both parties need more time to prepare, including compiling a list of all documents and witnesses to be used at the hearing. The Defendant has also informed Plaintiff of their intent to prepare and file a motion to set aside the default judgment. The parties respectfully request the Court reschedule the damages hearing for a time after the resolution of said motion and enter this

1 Stipulation as an Order of the Court.

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3 Dated: January 14, 2008

4 Signed:

5 */S/ Carter C. White*

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7 Carter C. White
Attorney for Plaintiff

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9 */S/ Carrie Frederickson*

10 Carrie Frederickson
11 Bruce Kilday
Attorneys for Defendant Tonya Knight

12 IT IS SO ORDERED.

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15 DATED: January 18, 2008

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17 CRAIG M. KELLISON
18 UNITED STATES MAGISTRATE JUDGE
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